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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,407	12/28/2001	Deia Salah-Eldin Bayoumi	ABTT-0266/B010130	2277

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EXAMINER

JARRETT, RYAN A

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/040,407

Applicant(s)

BAYOUMI ET AL.

Examiner

Ryan A. Jarrett

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/14/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. References BX and BY have not been considered. The IDS references have been separated from the file and/or not scanned into IFW. The examiner is unable to obtain these two references. Applicants are respectfully requested to re-submit these two references if they would like them to be considered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-16, and 20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Takitri U.S. Patent No. 6,021,402. Takitri discloses a method for generating an optimized dispatch plan for a plurality of distributed resources comprising: receiving a plurality of information (per claims 4-12, 15, and 16) associated with at least one of a the plurality of distributed resources; and generating at least one of a plurality of optimized dispatch plans for the at least one of a plurality of distributed resources based on the received information and user input; wherein generating the optimized dispatch plan comprises using probabilistic techniques; further comprising selecting one of the dispatch plans based on a plurality of rules (e.g., col. 4 line 50 – col. 5 line 20, col. 10 line 15 – col. 13 line 40; col. 14 lines 17-29).

4. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kazarlis et al., "A genetic algorithm solution to the unit commitment problem," *IEEE Transactions on Power Systems*, vol. 11, No. 1, Feb. 1996 (e.g., pp. 85-89).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karzalis et al. in view of Cohen et al. U.S. Patent No. 5,621,654. Karzalis et al. discloses a computer-implemented system for generating an optimized dispatch plan for distributed resources comprising: a data collector that collects information associated with at least one of a plurality of resources (e.g., pg. 85 col. 2); a data formatter that receives and formats said collected information (e.g., Table I, Table II); a plan generator that receives said verified and formatted information and generates an optimized dispatch plan for distributed resources (e.g., pg. 86 col. 1); wherein the plan generator utilizes probabilistic techniques (e.g., pg. 86 col. 2); wherein the plan generator comprises at least one of a plurality of artificial intelligence agents (e.g., pg. 86 col. 2).

Karzalis et al. does not explicitly disclose a data verifier that verifies the information received from the data collector. However, Cohen et al. discloses a system for economic dispatching of electrical power that comprises a data collector for receiving information from a plurality of distributed resources and a data validation unit for validating the collected information (e.g., col. 5 line 25 – col. 6 lines 24). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Karzalis et al. with Cohen in order to ensure that the collected data of Karzalis et al. is within an acceptable range, as taught by Cohen et al. (e.g., col. 6 lines 1-3).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The pertinent prior art is listed on the attached PTO-892.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan A. Jarrett whose telephone number is (703) 308-4739. The examiner can normally be reached on 10:00-6:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on (703) 308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2125

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan A. Jarrett  
Examiner  
Art Unit 2125

5/27/04

*Albert W. Paladini T-28-621*  
ALBERT W. PALADINI  
PRIMARY EXAMINER